HIGH COURT OF CHHATTISGARH : BILASPUR

Singie Bench: **Hon'ble Shri Dilip Raosaheb Deshmukh, J.**

M.C.C. No.144/2006

Applicant : Smt. Korrai Sasi Prabhavati, Hindu, Wife of Korrai Joginder Rao, C/o Nakkela Sanyasamma, aged 25 years, Resident of Nerellavalasa Colony, Bheemunipatnam, District Visakhapatnam (Andhra Pradesh)

Versus

Non-applicant : Korrai Joginder Rao, S/o Tavitayya, Hindu, aged about 35 years, Resident of MIG-1066, Amdi Nagar, Hudco, Bhilai, District Durg (Chhattisgarh)

Application under Section 23 (3) read with Section 151 of the Code of Civil Procedure.

Present:- Shri Dilip Dubey, counsel for the applicant.
Shri Sunil Sahu, counsel for the non-applicant.

ORAL ORDER
(Passed on 19.11.2007)

Heard.

At the request of learned counsel for the applicant, this M.C.C. is disposed of finally.

This is an application under Section 23 sub clause (3) of the C.P.C. for transfer of Civil Suit No.591-A/2005 under Section 13 of the Hindu Marriage Act for decree of divorce which is pending before the Family Court, Durg.

Learned counsel for the non-applicant submitted that the Civil Suit No.591-A/2005 filed by the applicant under Section 13 of the Hindu Marriage Act has been finally disposed of on 20-03-2006 by the Principal Judge, Family Court, Durg. A Xerox copy of the

judgment dated 20-03-2006 has filed by the learned counsel for the non-applicant which is taken on record.

In view of the submission made above, learned counsel for the applicant does not press this M.C.C.No.144 of 2006.

Accordingly, this M.C.C.No.144 of 2006 which is an application under Section 23 sub clause (3) of the C.P.C. is dismissed as not pressed.

Sd/-
Dilip Raosaheb Deshmukh
Judge

Tumane